

**E. Should a Carrier File the Regulatory Fee If It Has Not Filed a TRS Fund Worksheet?**

Yes. If a common carrier provided interstate telecommunications services in 1994, then it should have filed a TRS Fund Worksheet and must also pay the common carrier based regulatory fee. Carriers should have filed their 1995 TRS Fund Worksheet on or before April 26, 1995. These worksheets used calendar year 1994 revenue data to calculate the TRS contribution for April 1995 through March 1996. Any carrier that did not file should contact the TRS Fund Administrator at 201-884-8173 in order to obtain a filing package and to be assigned a 6 digit TRS Fund ID number. This number must be included on the regulatory fee filing. The Mailing address of the TRS Fund Administrator is "NECA, FCC TRS Fund Administration, 100 South Jefferson Rd., Whippany, NJ 07981"

**F. What Type of Revenues Are Reported on TRS Fund Worksheets?**

The TRS Fund Worksheet requires carriers to report their revenue under

ten categories. Four of the revenue categories are for local services: (1) Local exchange service; (2) local private line service; (3) mobile radio, cellular, paging and PCS; and (4) alternative access and other—including services of competitive access providers. Six of the categories are for long distance services: (1) Intrastate access service; (2) interstate access service; (3) operator service and pay telephone; (4) non-operator switched tool service; (5) long distance private line service; and (6) all other long distance services. Carriers report total revenues and interstate revenues for each category. Carriers must include revenues from all of the different types of services listed in section C above.

Gross or total revenues include revenues from regulated, detariffed, and nonregulated telecommunications services. Gross revenues should not include non-telecommunications services, such as the lease of customer premises equipment. Gross revenues consist of total revenues billed to customers with no allowances for uncollectibles. Billed revenues may be

distinct from booked revenues. For international services, gross revenues consist of gross revenues billed by U.S. carriers with no allowances for settlement payments. Gross revenues should also include any surcharges on communications services that are billed to the customer and either retained by the carrier or remitted to a non-government third party under contract. Gross revenues should exclude taxes and any surcharges that are not recorded as revenue, but which instead are remitted to government bodies.

**G. What Kind of Costs can be Deducted From Revenues Reported on TRS Fund Worksheets in Order to Calculate the Common Carrier Regulatory Fee?**

Carriers are allowed to deduct interstate access expense that they paid to local exchange carriers in 1994, and they are allowed to deduct the interstate portion of the costs of communications services taken for resale in 1994. Carriers can use the following worksheet to calculate their 1995 regulatory fee.

1994 data (show all amounts in whole dollars)	Total company	Interstate portion
1. Common carrier revenues from Line 15 of FCC Form 431 TRS Fund Worksheet .....	.....	.....
2. Access expense paid to local exchange carriers .....	.....	.....
3. Cost of facilities taken for resale .....	.....	.....
4. Net Interstate Revenues (Line 1 minus Line 2 and minus Line 3) .....	.....	.....
5. Common carrier fee factor .....	.....	.00088
6. 1995 Regulatory Fee (Line 4 times Line 5) .....	.....	.....

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**FY 1995 Mass Media Regulatory Fees**

August 1, 1995.

The Federal Communications Commission issues this Public Notice in order to provide information concerning the payment of regulatory fees in 1995. If you are a licensee in any of the mass media services, you should carefully review this Public Notice.

**Who Must Pay Regulatory Fees in 1995**

Most licensees and other entities regulated by the Commission must pay regulatory fees in 1995. This Public Notice concerns the following Mass Media licensees: commercial AM & FM radio stations, commercial television stations, Low Power Television and television translator and booster licensees, broadcast auxiliary, FM translators and FM booster licensees, and multipoint distribution service licensees. Non-commercial educational

licensees are exempt from regulatory fees as are licensees of auxiliary broadcast services such as low power auxiliary stations, television auxiliary service stations, remote pickup stations and aural broadcast auxiliary stations where such licenses are used in conjunction with commonly owned non-commercial educational stations. Emergency broadcast service (EBS) licenses for auxiliary service facilities are also exempt as are Instructional Television Fixed Service (ITFS) licensees. Governments and nonprofit (exempt under Section 501 of the Internal Revenue Code) entities are exempt from paying regulatory fees and should not submit payment, but may be asked to submit a current IRS Determination Letter documenting its nonprofit status, a certification of governmental authority, or certification from a governmental entity attesting to its exempt status. Direct broadcast satellite (DBS) licensees are exempt from payment of regulatory fees on an individual subscriber basis; however, licensees of operational geosynchronous

orbit space stations are subject to payment of the space station regulatory fee (see Public Notice for FY 1995 International Services Regulatory Fees).

**Why the Commission Must Collect Regulatory Fees**

The requirement to collect annual regulatory fees was contained in Public Law 103-66, "The Omnibus Budget Reconciliation Act of 1993". These regulatory fees, which are likely to change each fiscal year, are used to offset costs associated with the Commission's enforcement, public service, international and policy and rulemaking activities. These fees are in addition to any application processing fees associated with obtaining a license or other authorization from the Commission.

**When Fees Will Be Due**

Fee payments must be received by the Commission by *September 20, 1995* in order to avoid a 25% late penalty.

**FCC Form 159**

Regulatory fee payments *must* be accompanied by FCC Form 159 ("FCC Remittance Advice"). A copy of this form, with specific instructions, is attached to this Public Notice. Please see, "Special Instructions for Completing FCC Forms 159 & 159-C" for detailed information on how to correctly complete these Forms.

**Where to Send Regulatory Fee Payments**

If sending your regulatory fee payment by *mail*, please address your envelope as follows: Federal Communications Commission, Regulatory Fees, P.O. Box 358835, Pittsburgh, PA 15251-5835.

If you prefer to send your regulatory fee payment by *courier* to our lockbox bank, you may do so 24 hours per day except bank holidays). Please address your envelope and deliver it to the following address: Federal Communications Commission, c/o Mellon Bank, Three Mellon Bank Center, 525 William Penn Way, 27th Floor, Room 153-2713, Pittsburgh, PA 15259-0001, (Attention: FCC Module Supervisor).

**Method of Payment**

Regulatory fee payments may be made by check, money order, or by credit card (Visa or Mastercard only). When paying by credit card, please make sure you sign the appropriate block of Form 159. Payments may also be made by wire transfer or by electronic funds transfer (EFT). Instructions for wire transfer payment are provided below.

We encourage arrangements to consolidate a number of regulatory fee payments either by a single entity or by different entities into a single payment instrument. Consolidated fee payments may cover several different service categories. Multiple fee payments may be made with one check, money order, credit card or electronic payment. Payors who will be making a single payment for a significant number of entities and wish to submit automated data submissions in lieu of a large number of FCC Forms 159-C ("Advice Continuation Sheets") may do so. There is no limit to the number of payment items.

**Wire Transfer Payment Instructions**

A wire transfer is a transaction that you initiate via your bank. It authorizes your bank to wire funds from your account to our lockbox bank, the Mellon Bank in Pittsburgh, PA. All payments made by wire transfer must be supported by a completed FCC Remittance Advice (FCC Form 159) and

Advice Continuation Sheet (FCC Form 159-C), if required. The Form 159 must be faxed to Mellon Bank at (412) 236-5702 at least one hour before the wire transfer on the same business day. Indicate on the top of the FCC Form 159 "Wire Transfer—Regulatory Fee Payment." In the "Reserve Box" located at the upper left hand corner indicate "358835." Failure to submit the completed Form 159 will result in a delay in crediting your account. Due to Federal Reserve regulations, wire transfers received after 6:00 p.m. (EST) will be credited to the next business day.

The following information should be provided to your bank in order to complete the wire transfer:

ABA Routing Number 043000261  
Receiving Bank: Mellon Pittsburgh  
FNF: FCC/ACV-9116106  
OBI Field: (Skip one space between each information item)  
"REGULATORYPAY"  
FCC ACCOUNT NO. (Exactly as on Form 159, Block #1)  
PAYOR NAME (Exactly as on Form 159, Block #3)  
Phone: (Daytime Phone #, exactly as on Form 159, Block #9)

**Compliance**

Licensees are solely responsible for accurately accounting for all licenses and for paying proper regulatory fees. Any omission or payment deficiency can result in a 25% monetary penalty, dismissal of pending actions, and/or revocation of any authorization. Additionally, the Commission intends to invoke its authority under the Debt Collection Act against any licensee failing to meet its regulatory fee payment obligations.

**Note:** The Commission has identified several entities which have not paid the required fee for FY 1994 and has begun taking appropriate steps to secure collection of these fees and penalties due. You are strongly urged to submit your payments on time and accurately in order to avoid a penalty.

**Waivers, Reductions and Deferments of Regulatory Fees**

The Commission will consider requests for waivers, reductions or deferments of regulatory fees, *in extraordinary and compelling circumstances only*, upon a showing that such action overrides the public interest in reimbursing the Commission for its regulatory costs. Timely submission of the appropriate regulatory fee must accompany requests for waivers or reductions. This will ensure efficient collection in situations where a waiver or reduction is not warranted

and will allow the requestor to avoid a 25% late-payment penalty if its request is denied. The regulatory fee would be refunded later if the request is granted. Only in exceptional or compelling instances (where payment of the regulatory fee along with the waiver or reduction request could result in the reduction of service to a community or other financial hardship to the licensee), will the Commission accept a petition to defer payment along with a waiver or reduction request.

**Additional Information**

The Commission has prepared a number of informative Fee Filing guides for information on *application* fees for mass media services, and for information on *application* and *regulatory* fees for the common carrier, mass media, international, engineering and technology, compliance and information or wireless radio services. These Guides, other Public Notices, and Forms 159 and 159-C are available from the Commission's Public Service Division and can be downloaded from the Internet (<ftp:fcc.gov>). Forms may also be obtained by contacting the Forms Hotline at (800) 418-3676 outside the Washington, DC area, or (202) 418-3676 locally. For additional information, please contact the Fees Hotline at (202) 418-0192, or write to: Federal Communications Commission, ATTN: Public Service Division, 1919 M Street, NW., Washington, DC 20554.

**Fee Payment Procedures for Commercial AM Radio Stations**

**Who Must Pay:** Licensees of Class A, Class B, Class C & Class D AM radio stations and holders of construction permits for new stations in the AM service whose license or permit was granted on or before October 1, 1994. AM radio station licensees who also hold auxiliary broadcast service licenses operated in conjunction with the main AM station (e.g., remote pickup stations, aural broadcast STLs, intercity relay stations and low power auxiliary stations) will also be assessed a regulatory fee for each of these stations. Governments and nonprofit (exempt under Section 501 of the Internal Revenue Code) entities are exempt from paying regulatory fees and should not submit payment, but may be asked to submit a current IRS Determination Letter documenting its nonprofit status, a certification of governmental authority, or certification from a governmental entity attesting to its exempt status.

**Conversion Table:** For those licensees of AM radio stations who may be

unfamiliar with the current station class designations, we provide the following:

Old class	New class
Class I .....	Class A.

Old class	New class
Class II & III .....	Class B.
Class II.D & II.S .....	Class D.
Class III.D & III.S .....	Class D.
Class IV .....	Class C.

Fee Requirement: Fees are assessed for AM radio station licensees based upon class of station as shown. Determination of class is based upon the station's most recent granted license on or before October 1, 1994:

AM regulatory fee category	Regulatory fee	Payment type code
Class A Station License .....	\$1,120 .....	MLAN
Class B Station License .....	620 .....	MNAN
Class C Station License .....	250 .....	MRAN
Class D Station License .....	310 .....	MPAN
Broadcast Auxiliary Station License .....	30 .....	MUBN
Construction Permit for New AM Station .....	125 .....	MTAN

Note that an Am station licensee will be assessed \$30 for each auxiliary license it holds. Holders of construction permits (CPs) for new AM stations for which a license to cover the CP had not been granted as of October 1, 1994 will be assessed a \$125 fee for each permit held, regardless of station class.

#### Fee Payment Procedures for Commercial FM Radio Stations

Who Must Pay: Licensees of commercial FM radio stations and holders of construction permits for new

stations in the FM service whose license or permit was granted on or before October 1, 1994. FM radio station licensees who also hold auxiliary broadcast service licenses operated in conjunction with the main FM station (e.g., remote pickup stations, aural broadcast STLs, intercity relay stations and low power auxiliary stations) will also be assessed a regulatory fee for each of these stations. Governments and nonprofit (exempt under section 501 of the Internal Revenue Code) entities are exempt from paying regulatory fees and

should not submit payment, but may be asked to submit a current IRS Determination Letter documenting its nonprofit status, a certification of governmental authority, or certification from a governmental authority attesting its exempt status.

Fee Requirement: Fees are assessed for commercial FM radio station licensees based upon class of station as shown below. Determination of class is based upon the station's most recent license granted on or before October 1, 1994:

FM regulatory fee category	Regulatory fee	Payment type code
Class C, C1, C2 or B FM License .....	\$1,120 .....	MLFN
Class A, B1 or C3 FM License .....	745 .....	MMFN
Broadcast Auxiliary License .....	30 .....	MUBN
Construction Permit for New FM Station .....	620 .....	MNFN

Note that commercial FM station licensees will be assessed \$30 for each auxiliary license it holds. Holders of construction permits (CPs) for new FM stations for which a license to cover the CP had not been granted as of October 1, 1994 will be assessed a \$620 fee for each permit held, regardless of station class.

#### Fee Payment Procedures for Commercial VHF/UHF TV Stations

Who Must Pay: Licensees of commercial VHF and commercial UHF television stations and holders of construction permits for new stations

whose license or permit was granted on or before October 1, 1994. A new reduced fee has been established for satellite television stations and holders of new satellite television construction permits. Commercial television station licensees who also hold auxiliary broadcast service licenses operated in conjunction with the main TV station (e.g., remote pickup stations, intercity relay stations) will also be assessed a regulatory fee for each of these stations. Governments and nonprofit (exempt under section 501 of the Internal Revenue Code) entities are exempt from paying regulatory fees and should not

submit payment, but may be asked to submit a current IRS Determination Letter documenting its nonprofit status, a certification of governmental authority, or certification from a governmental authority attesting its exempt status.

Fee Requirement: Fees are assessed commercial television stations licensees based upon the size of the Arbitron ADI market in which their stations are listed in the 1994 Edition of the TV & Cable Factbook No. 62 as published by Warren Publishing. Fees will be assessed as follows:

Commercial VHF station	Regulatory fee	Payment type code
Markets 1-1 .....	\$22,420	MAVN
Markets 11-25 .....	19,925	MBVN
Markets 26-50 .....	14,950	MEVN
Markets 51-100 .....	9,975	MGVN
Remaining Markets .....	6,225	MIVN
Broadcast Auxiliary Station .....	30	MUBN
Construction Permits .....	4,975	MJVN

Commercial UHF stations	Regulatory fee	Payment type code
Markets 1–10 .....	\$17,925	MCUN
Markets 11–25 .....	15,950	MDUN
Markets 26–50 .....	11,950	MFUN
Markets 51–100 .....	7,975	MHUN
Remaining Markets .....	4,975	MJUN
Broadcast Auxiliary Station .....	30	MUBN
Construction Permits .....	3,975	MKUN

  

Satellite TV stations	Regulatory fee	Payment type code
All Markets .....	\$620	MSSN
Construction Permits .....	225	MCSN

Note that commercial television station licensees will be assessed \$30 for each auxiliary license it holds. Holders of construction permits (CPs) for television stations for which a license to cover the CP had not been granted as of October 1, 1994 will be assessed \$4,975 (VHF), \$3,975 (UHF), or \$225 (Satellite TV) for each permit held.

#### Fee Payment Procedures for LPTV, TV Translators & TV Boosters, FM Translators & FM Boosters

**Who Must Pay:** Holders of Low Power Television, TV translator and booster licenses, and FM translator and booster licenses whose license was granted before October 1, 1994. Governments and nonprofit (exempt under section 501 of the Internal Revenue Code) entities are exempt from paying regulatory fees and should not submit

payment, but may be asked to submit a current IRS Determination Letter documenting its nonprofit status, a certification of governmental authority, or certification from a governmental authority attesting its exempt status. Also exempted from this fee are non-commercial educational FM and full service television broadcast station licensees that hold low power television, TV translator or TV booster licenses, or FM translator or FM booster licenses issued on or before October 1, 1994, provided those stations operate on a noncommercial educational basis. We will automatically waive the regulatory fee for the licensee of any translator that: (1) Is not licensed to, in whole or in part, and does not have common ownership with, the licensee of a commercial broadcast station; (2) does not derive income from advertising; and

(3) is dependent on subscriptions or contributions from the members of the community served for support. Finally, licensees of low power television, TV translator or TV booster, or FM translator or FM booster stations whose licenses were issued on or before October 1, 1994 and which have obtained a fee refund because of a NTIA facilities grant for their station or a fee waiver because of demonstrated compliance with the eligibility and service requirements of Section 73.621 of the Commissions Rules, are similarly exempt from payment of this regulatory fee. Licensees claiming an exemption based on one of these latter criteria should not submit payment, but may be asked to document their exempt status.

**Fee Requirement:** Fees are assessed on a per license basis as follows:

Type of license	Regulatory fee	Payment type code
Low Power Television Station, TV Translator/TV Booster .....	\$170	MLPN
Translor/TV Booster .....	.....	.....
FM Translator/FM Booster .....	170	MSFN

#### Fee Payment Procedures for Multipoint Distribution Service

**Who Must Pay:** Holders of multipoint distribution service licenses whose license was granted on or before October 1, 1994. Governments and nonprofit

(exempt under section 501 of the Internal revenue Code) entities are exempt from paying regulatory fees and should not submit payment, but may be asked to submit a current IRS Determination Letter documenting its

nonprofit status, a certification of governmental authority, or certification from a governmental authority attesting its exempt status.

**Fee Requirement:** Fees are assessed on a per license basis as follows:

Type of license	Regulatory fee	Payment type code
Multipoint Distribution Service .....	\$140	MDSN

#### Special Instructions for Completing FCC Forms 159 & 159-C

FCC Form 159 ("FCC Remittance Advice") and, as necessary, FCC Form 159-C ("Advice Continuation Sheet") must accompany all regulatory fee payments. Form 159 allows payors to

report information on one or more payment items (e.g., multiple FM or TV station licenses). Use Form 159-C to report additional payments.

An FCC Form 159 and a 159-C have been attached to this Public Notice for you to complete and remit with your

payment. You may make additional copies of the forms as required. In addition to the instructions for Form 159 (which are on the reverse side of the Form), the following information applies specifically to mass media fee payors.

**Block (12)—“FCC Call Sign/Other ID”**

• All Mass Media payors must enter in this block the call sign of the station(s) for which the regulatory fee is being paid.

**Block (14)—Payment Type Code**

Enter the appropriate payment type code as listed below:

**VHF Television Stations**

MAVN: Use this code when paying a regulatory fee for a commercial VHF television station in Arbitron markets 1–10 (\$22,420).

MBVN: Use this code when paying a regulatory fee for a commercial VHF television station in Arbitron markets 11–25 (\$19,925).

MEVN: Use this code when paying a regulatory fee for a commercial VHF television station in Arbitron markets 26–50 (\$14,950).

MGVN: Use this code when paying a regulatory fee for a commercial VHF television station in Arbitron markets 51–100 (\$9,975).

MIVN: Use this code when paying a regulatory fee for a commercial VHF television station in Arbitron markets (\$6,225).

MJVN: Use this code when paying a regulatory fee for a construction permit for a VHF television station (\$4,975).

**UHF Television Stations**

MCUN: Use this Code when paying a regulatory fee for a commercial UHF television station in Arbitron markets 1–10 (\$17,925).

MDUN: Use this Code when paying a regulatory fee for a commercial UHF television station in Arbitron markets 11–25 (\$15,950).

MFUN: Use this Code when paying a regulatory fee for a commercial UHF television station in Arbitron markets 26–50 (\$11,950).

MHUN: Use this Code when paying a regulatory fee for a commercial UHF television station in Arbitron markets 51–100 (\$7,975).

MJUN: Use this Code when paying a regulatory fee for a commercial UHF television station in all other Arbitron markets (\$4,975).

MKUN: Use this Code when paying a regulatory fee for construction permit for a commercial UHF television station (\$3,975).

**AM Radio Stations**

MLAN: Use this code when paying a regulatory fee for a Class A AM radio Station (\$1,120).

MNAN: Use this code when paying a regulatory fee for a Class B AM radio Station (\$620).

MRAN: Use this code when paying a regulatory fee for a Class C AM radio Station (\$250).

MPAN: Use this code when paying a regulatory fee for a Class D AM radio Station (\$310).

MTAN: Use this code when paying a regulatory fee for a construction permit for an AM radio Station (\$125).

**FM Radio Stations**

MLFN: Use this code when paying a regulatory fee for a Class C, C1, C2 or B FM radio station (\$1,120).

MMFN: Use this code when paying a regulatory fee for a Class A, B1 or C3 FM radio station (\$745).

MNFN: Use this code when paying a regulatory fee for a construction permit for an FM radio station (\$620).

**Satellite Television Stations**

MSSN: Use this code when paying a regulatory fee for a satellite TV station (\$620).

MCSN: Use this code when paying a regulatory fee for a construction permit for a satellite TV station (\$225).

**Low Power Television Station, TV Translator/Booster FM Translator/Booster**

MLPN: Use this code when paying a regulatory fee for a Low Power Television station, or a television translator or television booster (\$170).

MSFN: Use this code when paying a regulatory fee for an FM translator or FM booster (\$170).

**Broadcast Auxiliary Station**

MUBN: Use this code when paying a regulatory fee for a broadcast auxiliary station (\$30).

**Multipoint Distribution Service Station**

MDSN: Use this code when paying a regulatory fee for a multipoint distribution service station (\$140).

**Block (15)—“Quantity”:**

• All mass media fee payors must enter “1” in this block.

**Block (16)—“Amount Due”:**

• Enter the dollar amount associated with the corresponding Payment Type Code entered in Block (14).

**Block (17)—“FCC Code 1”:**

• If you are paying an AM or FM regulatory fee, enter the authorized frequency shown on your license or permit.

• If you are paying a television or Low Power Television station regulatory fee, enter the applicable channel number.

• If you are paying a TV translator, TV booster, broadcast auxiliary, FM translator, FM booster or a multipoint distribution service station regulatory fee, leave this section blank.

**Block (18)—“FCC Code 2”:**

• If you are paying an AM, FM, TV or Low Power Television regulatory fee,

enter the name of the state and community (in that order) of licenses for the station for which the regulatory fee is being paid. Please note that this block is for state and community of license, not mailing address. Please use the appropriate two letter post office abbreviation for the state.

• If you are paying a TV translator, TV booster, broadcast auxiliary, FM translator, FM booster or a multipoint distribution service station regulatory fee, leave this section blank.

Federal Communications Commission.

**William F. Caton,**

*Acting Secretary.*

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**FY 1995 Cable Television System Regulatory Fee**

August 1, 1995.

The Federal Communications Commission issues this Public Notice in order to provide information concerning the payment of regulatory fees in 1995. If you are an operator of a cable television system or a licensee of a cable antenna relay service (CARS) or broadcast auxiliary service, you should carefully review this Public Notice.

**Who Must Pay Regulatory Fees in 1995**

Cable television systems operating on or before *December 31, 1994* must pay regulatory fees per subscriber in 1995. Governments and nonprofit (exempt under Section 501(c) of the Internal Revenue Code) entities are exempt from paying regulatory fees and should not submit payment, but may be asked to submit a current IRS Determination Letter documenting its nonprofit status, a certification of governmental authority, or certification from a governmental authority attesting to its exempt status. All cable television systems must pay regulatory fees of \$0.49 per subscriber for each community unit in which it operates. Additionally, each system operating on or before *October 1, 1994* must pay a \$290.00 fee for each CARS license held and, if applicable, a \$30.00 fee for each Broadcast Auxiliary Service license held. In the event that there has been a change in ownership of a system after the effective dates above, but before the date payment is due, responsibility for payment of the regulatory fees rests upon the new owner.

**Why the Commission Must Collect Regulatory Fees**

The requirement to collect annual regulatory fees from cable television systems was contained in Public Law